

IN THE EXECUTIVE ETHICS COMMISSION
OF THE STATE OF ILLINOIS

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| In re: MEDESA DICKERSON |) | |
| PAMELA CLAY-WILSON and |) | |
| DAWN LAGA |) | OEIG Case # 10-00100 |

OEIG FINAL REPORT (REDACTED)

Below is a final summary report from an Executive Inspector General. The General Assembly has directed the Executive Ethics Commission ("Commission") to redact information from this report that may reveal the identity of witnesses, complainants or informants and "any other information it believes should not be made public." 5 ILCS 430/20-52(b).

The Commission exercises this responsibility with great caution and with the goal of balancing the sometimes competing interests of increasing transparency and operating with fairness to the accused. In order to balance these interests, the Commission may redact certain information contained in this report. The redactions are made with the understanding that the subject or subjects of the investigation have had no opportunity to rebut the report's factual allegations or legal conclusions before the Commission.

The Commission received a final report from the Governor's Office of Executive Inspector General ("OEIG") and a response from the agency in this matter. The Commission redacted the final report and mailed copies of the redacted version and responses to the Attorney General, the Governor's Executive Inspector General and to Medesa Dickerson, Pamela Clay-Wilson, and Dawn Laga at their last known addresses.

These recipients were given fifteen days to offer suggestions for redaction or provide a response to be made public with the report. Certain information contained in the proposed public response may have been redacted in accordance with the Commission's determination that it should not be made public. The Commission, having reviewed all suggestions received, makes this document available pursuant to 5 ILCS 430/20-52.

I. BACKGROUND

The Office of Executive Inspector General (OEIG) received a complaint alleging Illinois Department of Human Services (DHS), Illinois Rehabilitation & Education (ICRE), employees Medesa Dickerson, Pamela Clay-Wilson, and Dawn Laga authorized inappropriate expenditures not permitted by ICRE policy. The OEIG concludes that this allegation is **FOUNDED**.

ICRE provides aid to disabled individuals seeking educational and vocational assistance. In order to determine appropriate expenditures, ICRE counselors meet with clients and discuss their disabilities and vocational goals. ICRE counselors and clients then formalize

Individualized Plans for Employment (IPE).¹ ICRE counselors also approve expenditures for items essential to achieving the educational and vocational objectives of the client. For example, a counselor can approve funds to purchase a specific uniform if a uniform is determined to be necessary apparel for the client's chosen profession.

II. INVESTIGATION

A) Interview of [employee]

On March 2, 2010, OEIG investigators interviewed [employee], Department of Rehabilitation Services (DORS). [Employee] audits DHS facilities to ensure compliance with rules and policies. According to [employee], ICRE is permitted to fund educational and vocational training for its clients. All items paid for by ICRE, however, must be essential to a client achieving his employment or educational goal. Prior to approving a purchase, the counselor must verify that the client needs the item and is eligible to receive the item.

[Employee] stated that she conducted two audits of ICRE-Woods, where Medesa Dickerson, Pamela Clay-Wilson, and Dawn Laga work. During the first audit, [employee] and her unit reviewed a sample of ten ICRE-Woods client case files. The audit revealed that the counselors violated ICRE policy by authorizing inappropriate expenditures for each of the ten clients whose files were audited. The audit also revealed that documentation supporting the expenditures was often missing from the client files or incorrectly completed.

As a result of her initial findings, between November 3, 2009 and January 2010, [employee] and her office conducted a second audit, which encompassed all 76 active ICRE-Woods client case files. The audit revealed that the counselors approved inappropriate expenditure of State funds in all 76 cases. For example, [employee] found that ICRE-Woods inappropriately authorized an expenditure to purchase new mattresses. In another example, ICRE-Woods inappropriately authorized \$500 to a client to pay for funeral expenses. According to [employee], none of those purchases was essential to aiding the clients in their vocational or educational objectives. In fact, [employee] stated that she has never witnessed abuse of this magnitude. [Employee] estimated that the improper expenditures totaled \$100,000.

B) OEIG Review of Quality Assurance Audit

Following [employee's] interview, OEIG investigators reviewed her audit findings. Examples of additional inappropriate expenditures found during the audit include:

¹ The Illinois Administrative Code defines the IPE as a "non-binding agreement between the customer and DHS-ORS that outlines the nature and scope of vocational rehabilitation services to be provided to the customer to meet the established objectives that are related to the customer's vocational goal. The IPE identifies the program of services that will assist the individual to achieve an employment objective consistent with the customer's unique strengths, resources, priorities, concerns, abilities, capabilities, career interests, and informed choices. The IPE will provide the customer with substantial services. Substantial services are defined as services that, provided in the context of the counseling relationship, collectively and significantly contribute to the achievement of an employment outcome consistent with the informed choices of the individual." 89 IL ADC 572.30.

| Client² | Amount Spent | Inappropriate Expenditures | Notes |
|---------------------------|---------------------|--|---|
| 2103954 | \$447 | Eyeglasses (\$372) Grooming supplies (\$50) Payment to "Asset Investment & Realty Group" (\$25) | No indication in the file that the Counselor considered another funding source (i.e. Public Aid). No document in the file explaining why Asset Investment and Realty Group received the payment |
| 2204551 | \$600 | Attorney meeting (\$200) Clothing (\$400) | To discuss child custody case |
| 2008063 | \$600 | Orthopedic shoes | The client had no physical disability. Counselor did not consider Medicaid as a funding source for the shoes |
| 2202607 | \$744 | 2 sets of mattresses (\$694) Payment to Merillac House (\$50) | No explanation as to why payment was made to Merillac House |
| 2187500 | \$200 | Clothing | Provided prior to participating in any services, either educational or vocational |
| 2192317 | \$500 | Burial of client's son | Client agreed to reimburse. There is no evidence in file indicating client indeed repaid the funds |

C) Interview of Dawn Laga

On August 25, 2010, OEIG investigators interviewed Dawn Laga, DHS, ICRE-Woods, Coordinator II. Ms. Laga stated that as part of her job duties, she processes payment vouchers given to her by counselors. Ms. Laga stated she is not responsible for reviewing the vouchers to ensure that expenditures comply with ICRE rules and policies.

When asked to explain the above expenditures, Ms. Laga stated she merely coded the purchases and, "did what [she] was told to do." Ms. Laga stated she nonetheless questioned some of the expenditures, but Pamela Clay-Wilson instructed her to process them.

D) Interview of Medesa Dickerson

On August 25, 2010, OEIG investigators interviewed Medesa Dickerson, DHS Senior Vocational Rehabilitation Counselor. Ms. Dickerson stated that when supervisor Pamela Clay-Wilson began working at ICRE-Woods, she changed many of the rules and procedures. Ms. Dickerson said Ms. Clay-Wilson believed in recruiting new clients and making ICRE's presence

² In light of privacy issues, the OEIG is not identifying specific clients by name.

known in the community. Ms. Dickerson recruited new clients at community centers. According to Ms. Dickerson, the clients from the community centers required greater assistance, because many were homeless, had substance abuse problems, or had mental health issues.

Ms. Dickerson stated she authorized clothing expenditures, capped at \$200, if a client required professional clothing. Ms. Dickerson stated she assessed a client's need for clothing before authorizing the expenditures. Ms. Dickerson denied that she authorized clothing expenditures for every one of her clients. An OEIG investigator asked Ms. Dickerson why she had provided every client with a clothing voucher. In response, Ms. Dickerson could not explain why she had done so, but stated that most of her clients were homeless and required greater services. Ms. Dickerson stated that if a client received more than \$200 for clothing, it was because the client had no proper attire or the client's profession required a uniform.

The OEIG asked Ms. Dickerson under what circumstances counselors could authorize an expenditure for a mattress. Ms. Dickerson stated that in the case of Client 2202607, ICRE purchased the mattresses, because the client and her children were sleeping on the floor. Ms. Dickerson stated ICRE made the purchase so the client would not be burdened further. Ms. Dickerson added that management approved the expenditure and that the client paid a portion of the expense.

Ms. Dickerson stated that ICRE suspended her approval authority and that all expenditures must now be approved by Pamela Clay-Wilson. Ms. Dickerson stated that she has never been disciplined, and ICRE did not make Ms. Dickerson aware of any performance concerns until February 2010, when her ability to approve expenditures was suspended.

E) Interview Pamela Clay-Wilson

On August 26, 2010, OEIG investigators interviewed Pamela Clay-Wilson, DHS Public Service Administrator and Dickerson's supervisor. Ms. Clay-Wilson stated that she began her employment with the State in 1980 and became a Public Service Administrator in 2003.

Ms. Clay-Wilson stated that her job responsibilities include performing monthly case reviews of client files. In so doing, she obtains one case file from each district and reviews the file in conjunction with a checklist. If a file is poorly maintained or incomplete, Ms. Clay-Wilson alerts the counselor to the problem and places a corrective action plan in the case file. Ms. Clay-Wilson stated that she did not identify any issues with the ICRE-Woods case files during her monthly reviews. Ms. Clay-Wilson denied that Ms. Laga ever approached her with concerns about inappropriate expenditures.

Ms. Clay-Wilson stated that ICRE sometimes authorizes expenditures to provide clothing to a client, and that not all clients are eligible. She said ICRE does not authorize more than \$200 for any one client. Ms. Clay-Wilson stated that ICRE rules do not dictate how often counselors can provide clothing vouchers, but stated that the counselor "cannot be wasteful."

OEIG investigators asked Ms. Clay-Wilson whether it was proper to approve an expenditure to purchase mattresses. Ms. Clay-Wilson responded, "We shouldn't have paid for the mattresses." Ms. Clay-Wilson told investigators that she had been told that the client was sleeping on the floor and that the counselor wanted to help the client "be in a good frame of mind."

Ms. Clay-Wilson stated she was not aware that ICRE-Woods paid for funeral expenses of a client. She said, "We shouldn't have done that." Ms. Clay-Wilson recalled advising the counselor to first request the funds from the Illinois Department of Family Services, and directing the counselor to pay the expenses if the Illinois Department of Family Services refused to do so.

III. ANALYSIS

The OEIG investigation revealed that Pamela Clay-Wilson, Medesa Dickerson and Dawn Laga violated multiple provisions of the Illinois Administrative Code, by approving expenditures for items not essential to those disabled individuals seeking vocational and educational assistance. [Employee] presented the Quality Assurance Audit to DHS management. The below analysis highlights only a portion of those violations.

A) Clothing Expenditures

The Illinois Administrative Code expressly states that DHS-DRS will *not* pay for normal living expenses such as food, shelter, and clothing, except when a client exceeds his normal living expenses due to his participation in an ICRE Individualized Plan for Employment.³ Furthermore, the Illinois Administrative Code states, "Payments for one time increased costs shall be made as needed. These would include the purchase of clothing, when the customer's employment requires special attire, or for a customer's job interview, or for training if the teacher or institution requires special clothing for a course."⁴

Ms. Dickerson approved expenditures for clothing in violation of the above policies. Ms. Dickerson approved a clothing expenditure for every client she serviced, without justifying the client's need. In the case of client 2187500, Ms. Dickerson approved a clothing expenditure before the client even participated in any educational or vocational service. In the case of client 2204551, Ms. Dickerson approved two clothing expenditures, totaling \$400, over a two-month period, even though she said clothing expenditures to a given client may not exceed \$200.

The OEIG found no evidence to suggest that Ms. Clay-Wilson knew about these inappropriate expenditures or even recognized them to be inappropriate, much less took action to prevent further violations of ICRE Rules.

B) Comparable Benefits

³ 89 IL ADC 590.660.

⁴ 89 IL ADC 590.670(a).

The Illinois Administrative Code defines “comparable benefits” as those benefits available to a client and that assist the client in achieving his or her IPE. When comparable benefits are provided to the client by a public or private agency, they offset costs that would otherwise be paid by DHS.⁵ The Illinois Administrative Code requires counselors to investigate and/or recover comparable benefits for all services requested by a client.⁶

The OEIG investigation revealed that Ms. Dickerson failed to pursue comparable benefits for clients on a number of occasions. For example, Ms. Dickerson approved expenditures without investigating at all whether Medicaid or Public Aid would provide comparable benefits.

C) Non-Essential Purchases

The Illinois Administrative Code states: “In order for an authorization to be issued, the services must: (a) be essential to obtaining necessary diagnostic information, determining eligibility, or achieving the objectives listed in the IPE or Service Plan.” 89 IL ADC 520.30.

Ms. Dickerson approved numerous vocational rehabilitation service expenditures in violation of the above Rule. As evidenced by the audit completed by [employee], Ms. Dickerson approved expenditures of funds for items and services not essential to a client’s employment objectives. For example, Ms. Dickerson approved expenditures for mattresses, funeral services, and even for attorney’s fees. None of those services was essential to meeting the vocational goals of the clients.

During monthly reviews of the client files, Ms. Clay-Wilson also failed to identify any of the inappropriate expenditures that DHS auditors identified in every single file in her office. Ms. Clay-Wilson apparently did not even recognize subordinates were violating ICRE Rules.

Ms. Laga is also responsible for violations of ICRE Rules. Ms. Laga processed the payment vouchers and should have alerted management when expenditures violated ICRE Rules and policies. Ms. Laga had a duty to advise management of those inappropriate expenditures and even though Ms. Laga stated that she did alert management, there is no documentary evidence supporting this assertion.

Medesa Dickerson, Pamela Clay-Wilson and Dawn Laga failed to perform their duties. According to [employee’s] audit, that failure has resulted in more than \$100,000 of misappropriated funds. As such, the allegation that Ms. Dickerson, Ms. Clay-Wilson, and Ms. Laga approved ICRE expenditures in violation of policy is **FOUNDED**.

IV. CONCLUSIONS

- **FOUNDED** – In violation of DHS policy, Dawn Laga approved funding for purchases not in accord with the Illinois Administrative Code.

⁵ 89 IL ADC 567.20.

⁶ There are certain situations when ICRE does not have to pursue comparable benefits prior to approving a purchase or service. None of the cited examples in this analysis section constitutes an exception. 89 IL ADC 567.30 and 89 IL ADC 590.35.

- **FOUNDED** – In violation of DHS policy, Medesa Dickerson approved funding for purchases not in accord with the Illinois Administrative Code.
- **FOUNDED** – In violation of DHS policy, Pamela Clay-Wilson approved funding for purchases not in accord with the Illinois Administrative Code.

Based upon the evidence, the OEIG recommends that Dawn Laga, Medesa Dickerson and Pamela Clay-Wilson be disciplined.

No further investigative action is warranted and this case is considered closed.



Pat Quinn, Governor

Illinois Department of Human Services

Michelle R.B. Saddler, Secretary

100 South Grand Avenue, East • Springfield, Illinois 62762
401 South Clinton Street • Chicago, Illinois 60607

August 16, 2011

Mr. Ricardo Meza
Executive Inspector General
Office of the Executive Inspector General
For the Agencies of the Illinois Governor
32 West Randolph Street, Suite 1900
Chicago, Illinois 60601

RE: OEIG Complaint No: 10-00100

Dear Inspector General Meza:

The Department of Human Services/Division of Rehabilitation Services (DHS/DRS) has received founded allegations regarding the authorization of inappropriate expenditures for customers in the DHS/DRS Bureau of Field Services' Wood Street Office. The founded allegations include the Supervisor, Pamela Clay Wilson, a Rehabilitation Counselor, Madessa Dickerson, and a Rehabilitation Case Coordinator, Dawn Laga. The founded allegations specifically indicate Ms. Clay Wilson, Ms. Dickerson, and Ms. Laga inappropriately approved funding for purchases from federal funding not in accordance with Illinois Administrative Code. Discipline is recommended.

Ms. Clay Wilson is the supervisor of the Bureau of Field Services' Wood Street office supervisory staff who provides direct services in both the Vocational Rehabilitation and Home Services programs while ensuring appropriate and quality services are provided to customers in each program. Ms. Laga is a Rehabilitation Case Coordinator II working with counselors in the Vocational Rehabilitation program. Both staff members are still employed at the Wood Street office.

We have worked with the Bureau of Labor Relations on appropriate discipline level and with the Bureau Chief of the Bureau of Field Services. The pre-disciplinary meetings have been held and a 20-day suspension has been recommended for both Ms. Clay Wilson and Ms. Laga. Ms. Dickerson left state government in November 2010. She is actively pursuing a return to state government as a counselor in Cook County. Since the investigation is closed and we are unable to get a recommendation from OEIG related to information on record in her personnel file, we continue to work with the Office of Human Resources and the Bureau of Labor Relations on the possibility of adding the OEIG report findings to her personnel file, which we received after she had resigned. Therefore, we consider this matter resolved and respectfully request that your office close this case.

Sincerely,

Michelle R.B. Saddler
Secretary



Pat Quinn, Governor

Michelle R.B. Saddler, Secretary

100 South Grand Avenue, East • Springfield, Illinois 62762
401 South Clinton Street • Chicago, Illinois 60607

June 1, 2011

Mr. Ricardo Meza
Executive Inspector General
Office of the Executive Inspector General
For the Agencies of the Illinois Governor
32 West Randolph Street, Suite 1900
Chicago, Illinois 60601

RE: OEIG Complaint No: 10-00100

Dear Inspector General Meza:

The Department of Human Services/Division of Rehabilitation Services (DHS/DRS) has received founded allegations regarding the inappropriate expenditures for customers in the DHS/DRS Bureau of Field Services' Wood Street Office. The founded allegations include the Supervisor, Pamela Clay Wilson; a Rehabilitation Counselor, Madessa Dickerson; and a Rehabilitation Case Coordinator, Dawn Laga. The founded allegations specifically indicate Ms. Clay Wilson, Ms. Dickerson, and Ms. Laga inappropriately approved funding for purchases not in accordance with Illinois Administrative Code.

These allegations were shared with Redacted has reviewed the information with the Bureau of Labor Relations, and at this time we are in the process of preparing the pre-disciplinary packets and setting up the pre-disciplinary meetings to begin the discipline process.

Ms. Clay Wilson and Ms. Laga are still employed by DHS; however, Ms. Dickerson left state government in November 2010. She has made recent inquiries about returning to state government and in particular as a Rehabilitation Counselor in DHS/DRS field offices. We would like to place a letter in her personnel file indicating she is not to be considered for reinstatement to the Department of Human Services and state government in general. However to do so, Central Management Services requires us to have the recommendation from the OEIG to be able to place this in her file. The Rehabilitation Counselor has the main responsibility of initiating authorizations and payments for customer services. We believe this funding of inappropriate services and misuse of federal dollars is egregious enough to ask that we be able to prevent her from returning to a similar position. Therefore, we are requesting a letter from your office indicating that it would be appropriate for this employee not to be reinstated to state government.

After consulting with our fiscal department, they have concluded that we are not required to report these inappropriate expenditures to the federal government. We are continuing to review documentation with the Bureau of Labor Relations and after the pre-disciplinary meeting is held, we

will be able to make a recommendation on the appropriate level of discipline for Ms. Clay Wilson and Ms. Laga. The department is recommending that both employees be suspended, but at this time the level of discipline is undetermined. As soon as all the paperwork is finalized, DHS will prepare an update regarding the outcome of the disciplinary process; therefore, we respectfully request additional time.

Sincerely,

Michelle R.B. Saddler
Secretary

IN THE EXECUTIVE ETHICS COMMISSION
OF THE STATE OF ILLINOIS

IN RE: PAMELA CLAY-WILSON)

10-00100

RESPONDENT'S SUGGESTIONS FOR REDACTION / PUBLIC RESPONSE

Please check the appropriate line and sign and date below. If no line is checked the Commission will not make your response public if the redacted report is made public.

X Below is my public response. Please make this response public if the summary report is also made public; or

_____ Below are my suggestions for redaction. I do not wish for these suggestions to be made public.

Respondent's Signature

Oct. 21, 2011
Date

Instructions: Please write or type suggestions for redaction or a public response on the lines below. If you prefer, you may attach separate documents to this form. Return this form and any attachments to:

Illinois Executive Ethics Commission
401 S. Spring Street, Room 513 Wm. Stratton Building
Springfield, IL 62706

please see attached

Response to OEIG Report

In an effort to increase the services provided to minorities with disabilities and increase their representation in the VR program while taking steps to ensure that minority customers achieve successful outcomes this office attempted to provide the services needed so cases would not be discontinued due to hardship. In many instances if the individual is not treated holistically the outcome will not be successful.

This office did not intentionally violate policy. While ignorance is no excuse for error, this office has been short of staff the past two to three years which makes it difficult to closely monitor staff and issue services to customers. This office made the error of choosing to service as many customers as possible, and as a result mistakes were made and some services were issued that should not have been. VR program does not allow services to be provided to the majority of customers who are members of minority groups with disabilities that will allow them to move up the social ladder.

This office provides services to minority population. Members of minority populations have a different self-concept, a different realistic appraisal, and fewer supports from outside sources. Many members of minority groups enter the vocational rehabilitation system more dependent on services from social services agencies than white customers. This office only tried to provide the services necessary for the customers to become successfully employed. The error was in failure to document the reason many of the services issued were necessary for employment. Files will be closely monitored as a result of the audit findings.

Continuous training pertaining to this issue will remind staff the importance of proper documentation.